Our Ref. No.: 096790.P441

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)
Masami Urano	) Examiner: Lewis Monica RECEIVED
Serial No.: 10/664,258	) Art Unit: 2822 ) JAN 2 7 2006
Filing Date: 09/17/2003	OFFICE OF PETITIONS
For: SEMICONDUCTOR DEVICE HAVING MEMS	) )

## PETITION TO WITHDRAW FROM ISSUE UNDER RULE 1.313B

Mail Stop: Issue Fee Commissioner for Patents Post Office Box 1450 Alexandria, VA 22313-1450

Dear Sir.

Applicant respectfully requests withdrawal from issue and abandonment of the above-identified application to permit consideration of an Information Disclosure Statement under §1.97 in the Request for Continued Examination being filed concurrently herewith. The petition fee of \$130.00 is also enclosed herewith. Please charge any additional amount or credit any overpayment to deposit account 02-2666 in the name of Blakely, Sokoloff, Taylor & Zafman. A duplicate copy of this sheet is enclosed for that purpose.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN

Dated:

1/27/08

CERTIFICATE OF FACSIMILE TRANSMISSION

Eric Myman, Reg. No. 30,139

12400 Wilshire Boulevard

Seventh Floor Los Angeles, California 90025 (310) 207-3800 I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office, Mail Stop: RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, op the date shown below.

process ( tea)

Linda D'Elia January 27

10/664,258

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# PETITION FEE Under 37 CFR 1.17(f), (g), & (h) TRANSMITTAL

Send completed form to: Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450

	Complete if Known
Application Number	10/664,258 OFFICE OF DETERM
Filing Date	10/664,258 <b>OFFICE OF PETITIO</b> September 17, 2003
First Named Inventor	Masami Urano
Examiner Name	Lewis, Monica
Art Unit	2822
Attorney Docket No.	96790P441

Enclosed is a petition filed under 37 CFR 1.17(h) that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$130 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(I), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees)

The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 02-2666:

petition fee under 37 CFR 1.17(f), (g) or (h) any deficiency of fees and credit of any overpayments Enclose a duplicative copy of this form for fee processing Check in the amount of \$130 is enclosed.

Petition Fees under 37 CFR 1.17(f):	Fee \$400	Fee Code 146
For petitions filed under:		
£ 4 05/->		

§ 1.36(a) - for revocation of a power of attorney by fewer than all applicants.

§ 1.53(e) - to accord a filing date.

§ 1.57(a) - to accord a filing date.

§ 1.182 - for decision on a question not specifically provided for.

§ 1.183 - to suspend the rules.

§ 1.378(e) - for reconsideration of decision on patition refusing to accept delayed payment of maintenance fee in an expired patent.

§ 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

#### Petition Fees under 37 CFR 1.17(g): Fee Code 1463 Fee \$200

For petitions filed under:

§ 1.12 - for access to an assignment record.

§ 1.14 - for access to an application.

§ 1.47 - for filing by other than all the inventors or a person not the inventor.

§ 1.59 - for expungement of information.

§ 1.103(a) - to suspend action in an application.

§ 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.

§ 1.295 - for review of refusal to publish a statutory invention registration.

§ 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.

§ 1.377- for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.

§ 1.550(c) - for patent owner requests for extension of time in ex parte reexamination proceedings.

§ 1.956 - for patent owner requests for extension of time in inter partes reexamination proceedings.

§ 5.12- for expedited handling of a foreign filing license.

§ 5.15- for changing the scope of a license.

§ 5.25 - for retroactive license.

### Petition Fees under 37 CFR 1.17(h): Fee \$130

Fee Code 1464

For petitions filed under:

§ 1.19(g) - to request documents in a form other than that provided in this part.

§ 1.84 - for accepting color drawings or photographs.

§ 1.91 - for entry of a model or exhibit.

§ 1.102(d) - to make an application special.

§ 1.138(c) - to expressly abandon an application to avoid publication.

§ 1.313 - to withdraw an application from issue.

§ 1.314 - to defer issuance of a patent.

SUBMITTED BY				Complete (if applicable)		
Nате (Рім/Туре)	Eric S. Hyman	7.1.	Registration No.	30,139	Telephone	(310) 207-3800
Signature		WK /			Date	1/1/06